

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 3, 2007

D048243 Lahijani v. Governing Board of Palomar Community College District
Judgment affirmed. The parties to bear their own costs on appeal. Haller, J.;
We Concur: Nares, Acting P.J., Irion, J.

D048064 Cruz v. Fagor America, Inc.
The order of the trial court is reversed. Cruz is awarded costs on appeal. CERTIFIED FOR
PUBLICATION. Aaron, J.; We Concur: Haller, Acting P.J., McIntyre, J.

D047343 People v. Norman
The order is affirmed. Haller, J.; We Concur: Nares, Acting P.J., Irion, J.

D048280 Chu v. Hsu et al.
The order granting the new trial is reversed and the matter remanded to the trial court for the
entry of judgment and any further appropriate proceedings. The respondents shall recover their
costs of appeal. McIntyre, J.; We Concur: Haller, Acting P.J., McDonald, J.

D050020 People v. Curtis
The Superior Court's December 4, 2006, order denying Delton Lewis Curtis' request to modify
his sentence and the notice of appeal filed on December 14, 2006, have been read and considered
by Justices McDonald, Haller and O'Rourke. The denial of a defendant's post judgment motion
to recall and modify the sentence is not an appealable order because the defendant does not have
standing to bring the motion under Penal Code 1170, subdivision (d), and the order does not
affect the defendant's substantial rights. (People v. Chlad (1992) 6 Cal.App.4th 1719, 1725-
1726). The appeal is dismissed.

D048979 People v. L.
Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is
dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316).

D048911 People v. Huerta
Upon filing an abandonment of appeal, the appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 4, 2007

D048849 People v. Johnson

The order denying the "petition for writ of audita querela or in the alternative, petition for writ of coram nobis" is reversed. The case is remanded to the trial court with directions to consider the petition as a petition for writ of habeas corpus and to review all the issues raised in the petition. Aaron, J.; We Concur: Benke, Acting P.J., Haller, J.

D048568 In re Mina G., a Juvenile

The judgment and order are affirmed. Nares, Acting P.J.; We Concur: McDonald, J., Haller, J.

D046547 People v. Otis

The judgment is affirmed. Aaron, J.; We Concur: Benke, Acting P.J., Haller, J.
Concurring Opinion: Aaron, J.

D049026 People v. The Superior Court of San Diego County/Edwards

The People's petition is denied. CERTIFIED FOR PUBLICATION. McIntyre, Acting P.J.;
We Concur: O'Rourke, J., Irion, J.

D049394 In re Staffiero on Habeas Corpus

The petition is denied.

D047502 People v. Gomez

The judgment is affirmed. Haller, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

**D048782 Jeld-Wen, Inc. v. The Superior Court of San Diego County/Marlborough
Development Corp. et al.**

Let a writ of mandate issue directing the court below to set aside its April 14, 2006 order. Jeld-Wen is entitled to its costs in this proceeding. CERTIFIED FOR PUBLICATION. McIntyre, J.;
We Concur: Nares, Acting P.J., O'Rourke, J.

D047414 People v. Spicer

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Haller, J.

D049117 In re Carley B., a Juvenile

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., Aaron, J.

D049422 In re Quackenbush on Habeas Corpus

The petition is denied.

**D049532 Hanks et al. v. The Superior Court of Imperial County/Dustin M., a Minor,
etc.**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 4, 2007 (Continued)

D049411 In re Batie on Habeas Corpus

The petition is denied.

D049392 In re Staffiero on Habeas Corpus

The petition is denied.

D050027 In re Staffiero on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
January 5, 2007

D049910 Woodhams et al. v. Superior Court of San Diego County/Nussbaum et al.

Let a peremptory writ of mandate issue directing the superior court to vacate its order requiring Woodhams to attend the IVE and set the matter for a hearing on the merits after full briefing of the issues. The stay issued on December 7, 2006 is vacated. This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 8.264(b)(3)). Plaintiffs are awarded costs in the writ proceeding. O'Rourke, J.; We Concur: Haller, Acting P.J., Irion, J.

D050075 Hays v. Superior Court of San Diego County/People

The petition is denied.

D047994 People v. Hashi

The judgment is modified to award appellant 50 days of custody credits (which includes 16 conduct days) toward his four-year term for his Vehicle Code section 2800.2, subdivision (a) conviction. The clerk of the superior court is directed to prepare an amended abstract of judgment reflecting that corrected amount of presentence custody credits and forward a certified copy of that amended abstract of judgment to the Department of Corrections. As modified, the judgment is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D047457 People v. Fisher

The judgment is affirmed. Aaron, J.; We Concur: McConnell, P.J., Benke, J.

D050048 Roddy v. Superior Court of San Diego County/Brown et al.

The petition is denied. The request for judicial notice is denied.